

FEB 23 2006

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

HECTOR LOYA-LOYA,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 03-74607

Agency No. A77-382-113

**SUPPLEMENTAL
MEMORANDUM***

FRANCISCO CHAVEZ-ARGUELLES,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 03-74608

Agency No. A77-382-112

* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

FRANCISCO CHAVEZ-ARGUELLES;
HECTOR LOYA-LOYA,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-74012

Agency Nos. A77-382-112
A77-382-113

On Petition for Review of an Order of the
Board of Immigration Appeals

Argued and Submitted October 19, 2005
Seattle, Washington

Before: BRUNETTI and McKEOWN, Circuit Judges, and KING^{**}, Senior District
Judge.

In a prior Memorandum, we dismissed in part (asylum), held in abeyance in part (withholding of removal), and denied in part (Convention Against Torture) petitioners' direct appeal petitions (Nos. 03-74607 and 03-74608); and we granted petitioners' motion to reopen petition (No. 04-74012) and remanded to the Board of Immigration Appeals for reconsideration of petitioners' motion to reopen. On remand, the BIA vacated its prior decision, reopened removal proceedings, and

^{**} The Honorable Samuel P. King, Senior United States District Judge for the District of Hawaii, sitting by designation.

remanded to the Immigration Judge for further consideration of petitioners' applications for asylum and withholding of removal.

In light of the BIA's decision, the remaining claims in case numbers 03-74607 and 03-74608 are moot and are hereby

DISMISSED.